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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/782,767

02/23/2004

Yasuhiro Esaki

26001

7653

20529

7590

02/23/2006

NATH & ASSOCIATES

112 South West Street

Alexandria, VA 22314

EXAMINER

WILLIAMS, KEVIN D

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 02/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/782,767

Applicant(s)

ESAKI ET AL.

Examiner

Kevin D. Williams

Art Unit

2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 1-12 are objected to because of the following informalities:

In claim 1, lines 13 and 14, the language "control unit selects at least one work process is selected automatically" is awkward. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 4-8 and 11 are rejected under 35 U.S.C. 102(e) as being anticipated by Kubota (US 2002/0029703).

Kubota teaches a process progress display device displaying progress status of a plurality of work processes which are performed in a processing apparatus individually or continuously, the process progress display device comprising: a work process progress display unit (52;[0085]) configured to display a progress status of each work process ([0061] – [0071]), wherein at least one work process is different from another work process (each page is different); a work process stop display unit 83

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corresponding to each work process, making a display 83 as to whether the processing apparatus is to be stopped or a work process scheduled to be subsequently performed is to be continuously executed in accordance with a work process to be executed at an end of the work process, wherein the work process stop display unit dynamically expresses 83 the work processes under progress by combinations of one of stop status (presence of display 83) and continuous status (no display 83 present); and a control unit (CPU 53) configured to control contents of the display of the work process progress display unit in accordance with the progress status of each work process and sequentially updates the contents of the display on the work process progress display unit, wherein the control unit selects at least one work process is selected automatically, the work process progress display unit and the work process stop display unit make a display in association with another display unit 51, the another display unit 51 comprises a start key to start processing upon being pressed ([0051]), the process progress display device 52 is included in a stencil printing machine ([0085]) including a stencil making process of perforating a stencil sheet based on image information and a printing process of performing stencil printing on a printing medium by use of the stencil sheet for which the stencil making has already been performed, and displays the progress statuses of the stencil making process and the printing process, the stencil printing machine includes a plurality of printing drums (Fig. 1), and performs the stencil printing independently for each of the printing drums, and the process progress display device displays the progress statuses of the stencil making process and the printing process for each of the printing drums, and the process progress display device is included in an

image forming apparatus including a developing process of developing and storing data received from outside and a printing process of printing the data developed and stored in the developing process, and displays progress statuses of the developing process and the printing process.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 3, 9, 10 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubota in view of Sato (US 6,401,606).

Kubota teaches the claimed invention except for the start key lighting to indicate that it is possible to start the processing displayed on the work process progress display unit and the work process stop display unit, the start key blinking to indicate that a start command for the processing is required, and the start key un-lighting to indicate that it is impossible to start the processing.

Kubota indicates the above conditions through text and other symbols on the screen 65.

Sato teaches the use of lighting and blinking to indicate various conditions to a user (col. 11, lines 58-61).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kubota to have the lighting and blinking as taught by Sato, in order to reduce the amount of text and the number of symbols used to signal an operator.

Response to Arguments

6. Applicant's arguments filed 11/29/2005 have been fully considered but they are not persuasive.

Applicant argues that Kubota does not disclose a display unit where at least one work process is different from another work process. Display 65 of Kubota contains progress information for up to four pages to be printed. As shown in figure 5, each page can contain different data and be printed using different color inking cylinders.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., two different work processes, in particular a stencil making process and a printing process) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Applicant argues that the printing termination display 83 of Kubota does not correspond to each work process. The examiner contends that the termination display 83 of Kubota does correspond to each work process. The display 65 is capable of displaying termination display 83 for each cylinder involved with the printing of a page. Each cylinder either displays or does not display symbol 83. Whether termination display 83 is or is not shown indicates the stop status.

Applicant argues that Kubota does not dynamically express the work processes under progress by combinations of one of stop status and continuous status. In the instant invention the process stop display unit dynamically expresses the work processes under progress by turning particular lights on and off. The examiner contends that the termination display check mark 83 of Kubota is a dynamic expression since it can appear on screen 65 for some cylinders and not appear for others. There are also combinations of the display 83 appearing or not appearing, since when the display 83 appears it indicates a stop status and when it does not appear it indicates a continuing operation status.

Applicant argues that the control unit in Kubota does not automatically select at least one work process. The examiner contends that the pages in Kubota that are scheduled to be printed are automatically selected for display by the control unit.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., allowing a user to visually determine which stencil making and/or printing processes are being performed to improve efficiency) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin D. Williams whose telephone number is (571) 272-2172. The examiner can normally be reached on Monday - Friday, 8:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KDW

February 13, 2006


REN YAN
PRIMARY EXAMINER